

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE SMC Wilderfield and Summerfield Courts 1 Wilderfield Court 8th Election District 3rd Councilmanic District

* BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

* Case No. 92-444-A

Francis Derby Boyle, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Sections 1802.3.B, 301.1 and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.b of the Comprehensive Manual of Development Policy (C.M.D.P.) to allow a side yard setback (for an open deck) of 4.2 ft., in lieu of the minimum required 11.25 ft., and to amend the Final Development Plan of the Fields at Seminary, Lot No. 47, to allow this projection outside of the building envelope, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners have filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits

MICROFILMED

ORDER RECEIVED FOR FILING
Date 6/1/92
By M. G. G. G.

LES:mmm

-2-

MICROFILMED

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of June, 1992 that the Petition for a Zoning Variance from Section 1802.3.B, 301.1 and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.b of the Comprehensive Manual of Development Policy (C.M.D.P.) to allow a side yard setback (for an open deck) of 4.2 ft., in lieu of the minimum required 11.25 ft., and to amend the Final Development Plan of the Fields at Seminary, Lot No. 47, to allow this projection outside of the building envelope, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 17, 1992

Mr. and Mrs. Francis D. Boyle
1 Wilderfield Court
Lutherville, Maryland 21093

RE: Petition for Residential Zoning Variance
Case No. 92-444-A

Dear Mr. and Mrs. Boyle:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.

MICROFILMED

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, petition for a Variance from Section 1802.3.B, 301.1 and 504 of the B.C.Z.R. to allow a side yard setback (for an open deck) of 4.2 ft., in lieu of the minimum required 11.25 ft., and to amend the Final Development Plan of the Fields at Seminary, Lot No. 47, to allow this projection outside of the building envelope.

of the Zoning Regulations of Baltimore County for the following reason: (unless hereby or granted otherwise)

See reverse side PDB

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City

State

Zip Code

(Type or print name)

(Signature)

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

City

State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

Address

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

West Chesapeake Avenue
Towson, MD 21204

887-3353

May 27, 1992

Mr. & Mrs. Francis Darby Boyle
1 Wilderfield Court
Lutherville, MD 21093

RE: Item No. 465, Case No. 92-444-A
Petitioner: Francis D. Boyle, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. Boyle:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
8th day of May, 1992.

Received By:
W. Carl Richards, Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Francis Darby Boyle, et ux
Petitioner's Attorney:

MICROFILMED

DPW/Development Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature: *Deanne B. Conroy* Date: 6/1/92

| File Number | Project Name | Waiver Number | Zoning Issue | Meeting Date |
|---------------------|------------------------------------|---------------|--------------|--------------|
| / | Phillip And Carol Faulkenklaus | 461 | | 5-18-92 NC |
| DED DEPRM RP STP TE | | | | |
| / | August J. And Elsie W. Seifert | 464 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Francis D. And Suzanne L. Boyle | 465 | | NC |
| DED DEPRM RP STP TE | | | | |
| / | Robert N. And Joan M. Greene | 466 | | NC |
| DED DEPRM RP STP TE | | | | |
| / | Joseph P. And Gloria G. Connore | 467 | | NC |
| DED DEPRM RP STP TE | | | | |
| / | Kilmarnock Associates | 468 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Automaster, Inc. | 469 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Douglas And Mary Holschneider | 470 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Reisterstown Bible Church | 471 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Pikesville Partnership | 472 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Baltimore Gas And Electric Company | 475 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Charles R. Carroll | 476 | | Comment |
| DED DEPRM RP STP TE | | | | |

MICROFILMED

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature: *Robert J. Familji* Date: 6/1/92

| File Number | Project Name | Waiver Number | Zoning Issue | Meeting Date |
|---------------------|------------------------------------|---------------|--------------|--------------|
| / | Phillip And Carol Faulkenklaus | 461 | N/C | 5-18-92 |
| DED DEPRM RP STP TE | | | | |
| / | August J. And Elsie W. Seifert | 464 | W/C | |
| DED DEPRM RP STP TE | | | | |
| / | Francis D. And Suzanne L. Boyle | 465 | N/C | |
| DED DEPRM RP STP TE | | | | |
| / | Robert N. And Joan M. Greene | 466 | N/C | |
| DED DEPRM RP STP TE | | | | |
| / | Joseph P. And Gloria G. Connore | 467 | N/C | |
| DED DEPRM RP STP TE | | | | |
| / | Kilmarnock Associates | 468 | W/C | |
| DED DEPRM RP STP TE | | | | |
| / | Automaster, Inc. | 469 | W/C | |
| DED DEPRM RP STP TE | | | | |
| / | Douglas And Mary Holschneider | 470 | W/C | |
| DED DEPRM RP STP TE | | | | |
| / | Reisterstown Bible Church | 471 | W/C | |
| DED DEPRM RP STP TE | | | | |
| / | Pikesville Partnership | 472 | W/C | |
| DED DEPRM RP STP TE | | | | |
| / | Baltimore Gas And Electric Company | 475 | N/C | |
| DED DEPRM RP STP TE | | | | |
| / | Charles R. Carroll | 476 | W/C | |
| DED DEPRM RP STP TE | | | | |

92-444-A

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning

DATE: May 20, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - May 18, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Philip & Carol Faulkenklaus - Item 461
Francis & Suzanne Boyle - Item 465
Robert & Joan Greene - Item 466
Joseph & Gloria Connor - Item 467
Alonso & Virginia Decker - Item 473

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

RECEIVED
JUN 2 1992
ZONING OFFICE

MICROFILMED

Department of ~~Development and Planning~~ ~~Development and Planning~~ ~~Development and Planning~~
Development Review Committee Response Form
Authorized signature: *Arnold Jablon* Date: 6-1-92

| File Number | Project Name | Waiver Number | Zoning Issue | Meeting Date |
|--|--------------|---------------|--------------|--------------|
| 7610 Bay Front Road | | 396 | | 4-13-92 |
| (AT CBCA) DEPRM | | | | IN PROCESS |
| 3301 Edwards Lane (Parkside Marina) | | 402 | | |
| DEPRM (AT CBCA) | | | | IN PROCESS |
| 207 St. Marys Road | | 406 | | |
| DEPRM (AT CBCA) | | | | IN PROCESS |
| Broadview II (Related to CRG refinement) | | 419 | | |
| DEPRM (AT EIRD) | | | | IN PROCESS |

COUNT 4

Orville Jones 451 5-11-92 NO COMMENTS

DEPRM

Donald And Anne Kahn 455 NO COMMENTS

DEPRM

William J. And Mary Jane Kramer 459 NO COMMENTS

DEPRM STP

COUNT 3

Phillip And Carol Faulkenklaus 461 5-18-92 IN PROCESS

DED DEPRM RP STP TE

August J. And Elsie W. Seifert 464 written comments

DED DEPRM RP STP TE

Francis D. And Suzanne L. Boyle NO COMMENTS

DED DEPRM RP STP TE

Robert N. And Joan M. Greene 466 MICROFILMED IN PROCESS

DED DEPRM RP STP TE

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

(301) 887-4500

MAY 22, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: FRANCIS DARBY BOYLE AND SUZANNE L. BOYLE
Location: #1 WILDERFIELD COURT
Item No.: *465 (JJS) Zoning Agenda: MAY 18, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Det. Mary Deizer* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KER

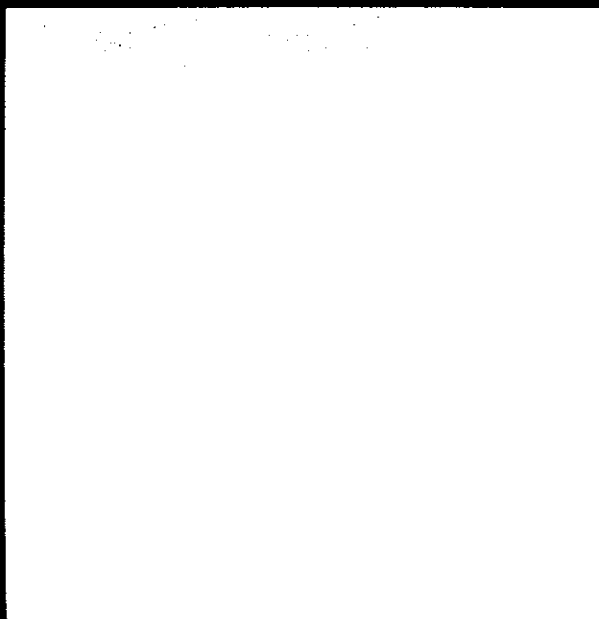
RECEIVED
MAY 26 1992
ZONING OFFICE

MICROFILMED

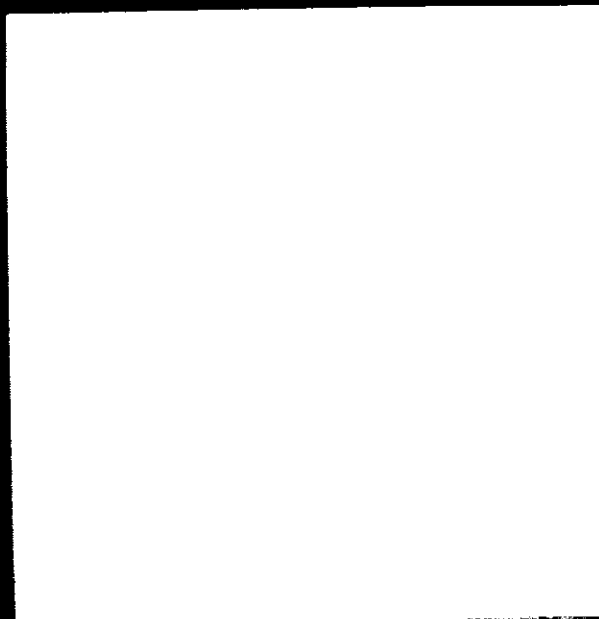
Department of ~~Development and Planning~~ ~~Development and Planning~~ ~~Development and Planning~~
Development Review Committee Response Form
Authorized signature: *WPK* Date: 6/1/92

| File Number | Project Name | Waiver Number | Zoning Issue | Meeting Date |
|---------------------|------------------------------------|---------------|--------------|--------------|
| / | Phillip And Carol Faulkenklaus | 461 | | 5-18-92 |
| DED DEPRM RP STP TE | | | | |
| / | August J. And Elsie W. Seifert | 464 | | |
| DED DEPRM RP STP TE | | | | |
| / | Francis D. And Suzanne L. Boyle | | | |
| DED DEPRM RP STP TE | | | | |
| / | Robert N. And Joan M. Greene | 466 | | |
| DED DEPRM RP STP TE | | | | |
| / | Joseph P. And Gloria G. Connore | 467 | | |
| DED DEPRM RP STP TE | | | | |
| / | Kilmarnock Associates | 468 | | |
| DED DEPRM RP STP TE | | | | |
| / | Automaster, Inc. | 469 | | |
| DED DEPRM RP STP TE | | | | |
| / | Douglas And Mary Holschneider | 470 | | |
| DED DEPRM RP STP TE | | | | |
| / | Reisterstown Bible Church | 471 | | |
| DED DEPRM RP STP TE | | | | |
| / | Pikesville Partnership | 472 | | |
| DED DEPRM RP STP TE | | | | |
| / | Baltimore Gas And Electric Company | 475 | | |
| DED DEPRM RP STP TE | | | | |
| / | Charles R. Carroll | 476 | | |
| DED DEPRM RP STP TE | | | | |

92-444-A

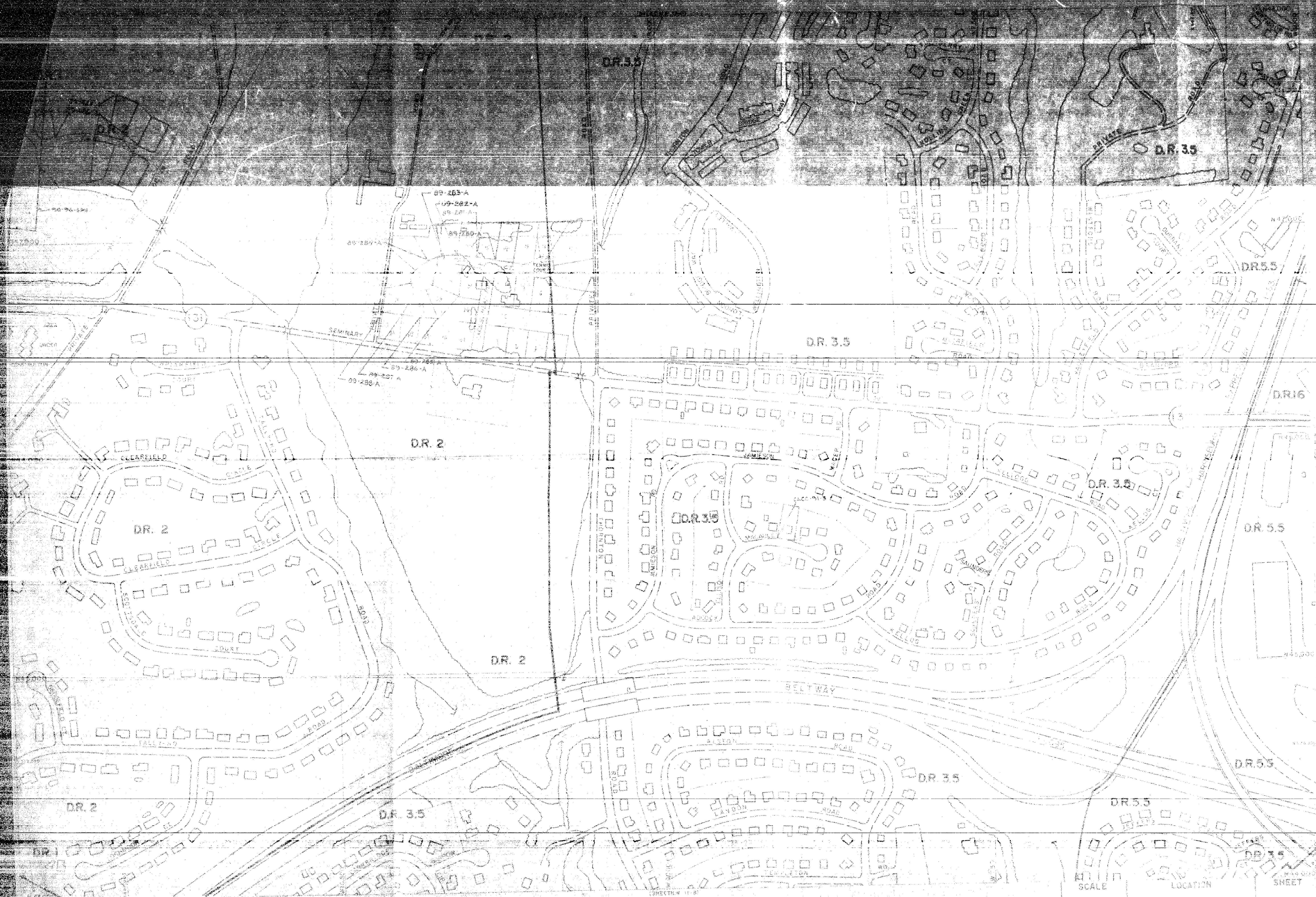


View from back looking
North



View from back looking N
proposed deck on right side

MICROFILMED



1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

| | | |
|-------------------------------------|-------------------------|-----------------------|
| SCALE 1" = 200' | LOCATION LUTHERVILLE | SHEET N.W. 12-B |
| DATE OF PHOTOGRAPHY JANUARY 1986 | | |

THIS MAP WAS PREPARED BY THE OFFICE OF PLANNING AND ZONING, BALTIMORE COUNTY, MARYLAND. IT IS A REPRODUCTION OF THE OFFICIAL ZONING MAP, BALTIMORE COUNTY, MARYLAND, 1988. THE MAP IS A REPRODUCTION OF THE OFFICIAL ZONING MAP, BALTIMORE COUNTY, MARYLAND, 1988. THE MAP IS A REPRODUCTION OF THE OFFICIAL ZONING MAP, BALTIMORE COUNTY, MARYLAND, 1988.

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE SMC Wilderfield and Summerfield Courts 1 Wilderfield Court 8th Election District 3rd Councilmanic District

* BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

* Case No. 92-444-A

Francis Derby Boyle, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Sections 1802.3.B, 301.1 and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.b of the Comprehensive Manual of Development Policy (C.M.D.P.) to allow a side yard setback (for an open deck) of 4.2 ft., in lieu of the minimum required 11.25 ft., and to amend the Final Development Plan of the Fields at Seminary, Lot No. 47, to allow this projection outside of the building envelope, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners have filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits

MICROFILMED

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of June, 1992 that the Petition for a Zoning Variance from Section 1802.3.B, 301.1 and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.6.b of the Comprehensive Manual of Development Policy (C.M.D.P.) to allow a side yard setback (for an open deck) of 4.2 ft., in lieu of the minimum required 11.25 ft., and to amend the Final Development Plan of the Fields at Seminary, Lot No. 47, to allow this projection outside of the building envelope, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:mmm

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 17, 1992

Mr. and Mrs. Francis D. Boyle
1 Wilderfield Court
Lutherville, Maryland 21093

RE: Petition for Residential Zoning Variance
Case No. 92-444-A

Dear Mr. and Mrs. Boyle:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

MICROFILMED

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, petition for a Variance from Section 1802.3.B, 301.1 and 504 of the B.C.Z.R. to allow a side yard setback (for an open deck) of 4.2 ft., in lieu of the minimum required 11.25 ft., and to amend the Final Development Plan of the Fields at Seminary, Lot No. 47, to allow this projection outside of the building envelope.

of the Zoning Regulations of Baltimore County for the following reason: (unless hereby or printed otherwise)

See reverse side PDB

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City

State

Zip Code

(Type or print name)

(Signature)

Address

City

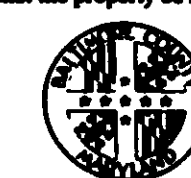
State

Zip Code

Name, address and phone number of owner, contract purchaser or representative to be contacted.

RECEIVED BY: DATE: 5-8-92

ESTIMATED POSTING DATE: 5-24-92 ESTIMATED CLOSING DATE: 6-8-92



ZONING COMMISSIONER OF BALTIMORE COUNTY

Page 1

AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) have consented to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at Lutherville, Md

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (unless hereby or printed otherwise)

In October 1990 when we put a down payment on Lot 47 it was the only lot we could get guaranteed to have a walk-out basement. In order to construct the King Mill Model on this lot the house had to be set back and shifted in the existing building envelope, thereby reducing the amount of space in building envelope to build a deck. Because we have six (6) active children we have found it extremely difficult to live in the summer time without a deck. The deck has been started; footers dug 32" deep, concrete poured and some framing completed. I, Francis D. Boyle was not clear that a building permit was a absolute requirement to build this deck.

That Affiant(s) acknowledge(s) that if a permit is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Francis D. Boyle
Francis D. Boyle
Francis D. Boyle
Francis D. Boyle

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I, HENRY CHERIFF, this 7th day of May, 1992, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of Affiant(s) knowledge and belief.

AS WITNESS my hand and Notarial Seal.

5-7-92

Notary Public

My Commission Expires: 5-29-94

MICROFILMED

Zoning Description
for #1 Wilderfield Ct.

Beginning at a point on the SW corner of Wilderfield & Summerfield Cts, both being 50 ft wide. Being lot #47 in the subdivision Fields at Seminary as recorded in Plat book # SM 55 folio 138 containing a 23 AC. Also known as #1 Wilderfield Ct. & located in the 8th Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 8 Date of Posting: 5/22/92
Posted for: Variance
Petitioner: Francis D. Boyle, Suzanne L. Boyle
Location of property: 1 Wilderfield Ct. & Summerfield Ct.
Location of Sign: 1 Wilderfield Ct. corner
Remarks: Donald P. Pappas
Posted by: Donald P. Pappas Date of return: 5/22/92
Number of Signs: 1

MICROFILMED

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

Account: R-001-6150
Number

PAID PER HAND-WRITTEN RECEIPT DATED 5/8/92

5/13/92

H9200465

| PUBLIC HEARING FEES | QTY | PRICE |
|----------------------------------|-----|---------|
| 010 -ZONING VARIANCE (TRL) | 1 X | \$50.00 |
| 080 -POSTING SIGNS / ADVERTISING | 1 X | \$35.00 |
| TOTAL: | | \$85.00 |

LAST NAME OF OWNER: BOYLE

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date: 5-8-92

Residential Variance (Administrative)
Filing Fee

Account: R-001-6150
Number

50.00
35.00
85.00

F.D. Boyle
#1 Wilderfield Ct.
(21093)

Please Make CHECKS PAYABLE TO: BALTIMORE COUNTY
IN C012:121M05-06

111 West Chesapeake Avenue
Towson, MD 21204

May 18, 1992

887-3353

Francis and Suzanne Boyle
1 Wilderfield Court
Lutherville, Maryland 21093

Re: CASE NUMBER: 92-444-A
LOCATION: SMC Wilderfield and Summerfield Courts
1 Wilderfield Court
8th Election District - 3rd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a reaffirmation regarding the administrative process.

1) Your property will be posted on or before May 24, 1992. The closing date is June 8, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases regarding public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
Zoning Commissioner, Baltimore County

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

West Chesapeake Avenue
Towson, MD 21204

887-3353

May 27, 1992

Mr. & Mrs. Francis Darby Boyle
1 Wilderfield Court
Lutherville, MD 21093

RE: Item No. 465, Case No. 92-444-A
Petitioner: Francis D. Boyle, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. Boyle:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
8th day of May, 1992.

Received By:
W. Carl Richards, Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Francis Darby Boyle, et ux
Petitioner's Attorney:

MICROFILMED

DPW/Development Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature: *Deanne B. Conroy* Date: 6/1/92

| File Number | Project Name | Waiver Number | Zoning Issue | Meeting Date |
|---------------------|------------------------------------|---------------|--------------|--------------|
| / | Phillip And Carol Faulkenklaus | 461 | | 5-18-92 NC |
| DED DEPRM RP STP TE | | | | |
| / | August J. And Elsie W. Seifert | 464 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Francis D. And Suzanne L. Boyle | 465 | | NC |
| DED DEPRM RP STP TE | | | | |
| / | Robert N. And Joan M. Greene | 466 | | NC |
| DED DEPRM RP STP TE | | | | |
| / | Joseph P. And Gloria G. Connore | 467 | | NC |
| DED DEPRM RP STP TE | | | | |
| / | Kilmarnock Associates | 468 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Automaster, Inc. | 469 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Douglas And Mary Holschneider | 470 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Reisterstown Bible Church | 471 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Pikesville Partnership | 472 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Baltimore Gas And Electric Company | 475 | | Comment |
| DED DEPRM RP STP TE | | | | |
| / | Charles R. Carroll | 476 | | Comment |
| DED DEPRM RP STP TE | | | | |

MICROFILMED

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature: *Robert J. Familji* Date: 6/1/92

| File Number | Project Name | Waiver Number | Zoning Issue | Meeting Date |
|---------------------|------------------------------------|---------------|--------------|--------------|
| / | Phillip And Carol Faulkenklaus | 461 | N/C | 5-18-92 |
| DED DEPRM RP STP TE | | | | |
| / | August J. And Elsie W. Seifert | 464 | W/C | |
| DED DEPRM RP STP TE | | | | |
| / | Francis D. And Suzanne L. Boyle | 465 | N/C | |
| DED DEPRM RP STP TE | | | | |
| / | Robert N. And Joan M. Greene | 466 | N/C | |
| DED DEPRM RP STP TE | | | | |
| / | Joseph P. And Gloria G. Connore | 467 | N/C | |
| DED DEPRM RP STP TE | | | | |
| / | Kilmarnock Associates | 468 | W/C | |
| DED DEPRM RP STP TE | | | | |
| / | Automaster, Inc. | 469 | W/C | |
| DED DEPRM RP STP TE | | | | |
| / | Douglas And Mary Holschneider | 470 | W/C | |
| DED DEPRM RP STP TE | | | | |
| / | Reisterstown Bible Church | 471 | W/C | |
| DED DEPRM RP STP TE | | | | |
| / | Pikesville Partnership | 472 | W/C | |
| DED DEPRM RP STP TE | | | | |
| / | Baltimore Gas And Electric Company | 475 | N/C | |
| DED DEPRM RP STP TE | | | | |
| / | Charles R. Carroll | 476 | W/C | |
| DED DEPRM RP STP TE | | | | |

92-444-A

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning

DATE: May 20, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - May 18, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Philip & Carol Faulkenklaus - Item 461
Francis & Suzanne Boyle - Item 465
Robert & Joan Greene - Item 466
Joseph & Gloria Connor - Item 467
Alonso & Virginia Decker - Item 473

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

RECEIVED
JUN 2 1992
ZONING OFFICE

MICROFILMED

Department of ~~Development and Planning~~ ~~Development and Planning~~ ~~Development and Planning~~
Development Review Committee Response Form
Authorized signature: *Arnold Jablon* Date: 6-1-92

| File Number | Project Name | Waiver Number | Zoning Issue | Meeting Date |
|--|--------------|---------------|--------------|--------------|
| 7610 Bay Front Road | | 396 | | 4-13-92 |
| (AT CBCA) DEPRM | | | | IN PROCESS |
| 3301 Edwards Lane (Parkside Marina) | | 402 | | |
| DEPRM (AT CBCA) | | | | IN PROCESS |
| 207 St. Marys Road | | 406 | | |
| DEPRM (AT CBCA) | | | | IN PROCESS |
| Broadview II (Related to CRG refinement) | | 419 | | |
| DEPRM (AT EIRD) | | | | IN PROCESS |

COUNT 4

Orville Jones 451 5-11-92 NO COMMENTS

DEPRM

Donald And Anne Kahn 455 NO COMMENTS

DEPRM

William J. And Mary Jane Kramer 459 NO COMMENTS

DEPRM STP

COUNT 3

Phillip And Carol Faulkenklaus 461 5-18-92 IN PROCESS

DED DEPRM RP STP TE

August J. And Elsie W. Seifert 464 written comments

DED DEPRM RP STP TE

Francis D. And Suzanne L. Boyle NO COMMENTS

DED DEPRM RP STP TE

Robert N. And Joan M. Greene 466 MICROFILMED IN PROCESS

DED DEPRM RP STP TE

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500 (301) 887-4500

MAY 22, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: FRANCIS DARBY BOYLE AND SUZANNE L. BOYLE
Location: #1 WILDERFIELD COURT
Item No.: *465 (JJS) Zoning Agenda: MAY 18, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Det. Mary Deizer* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KER

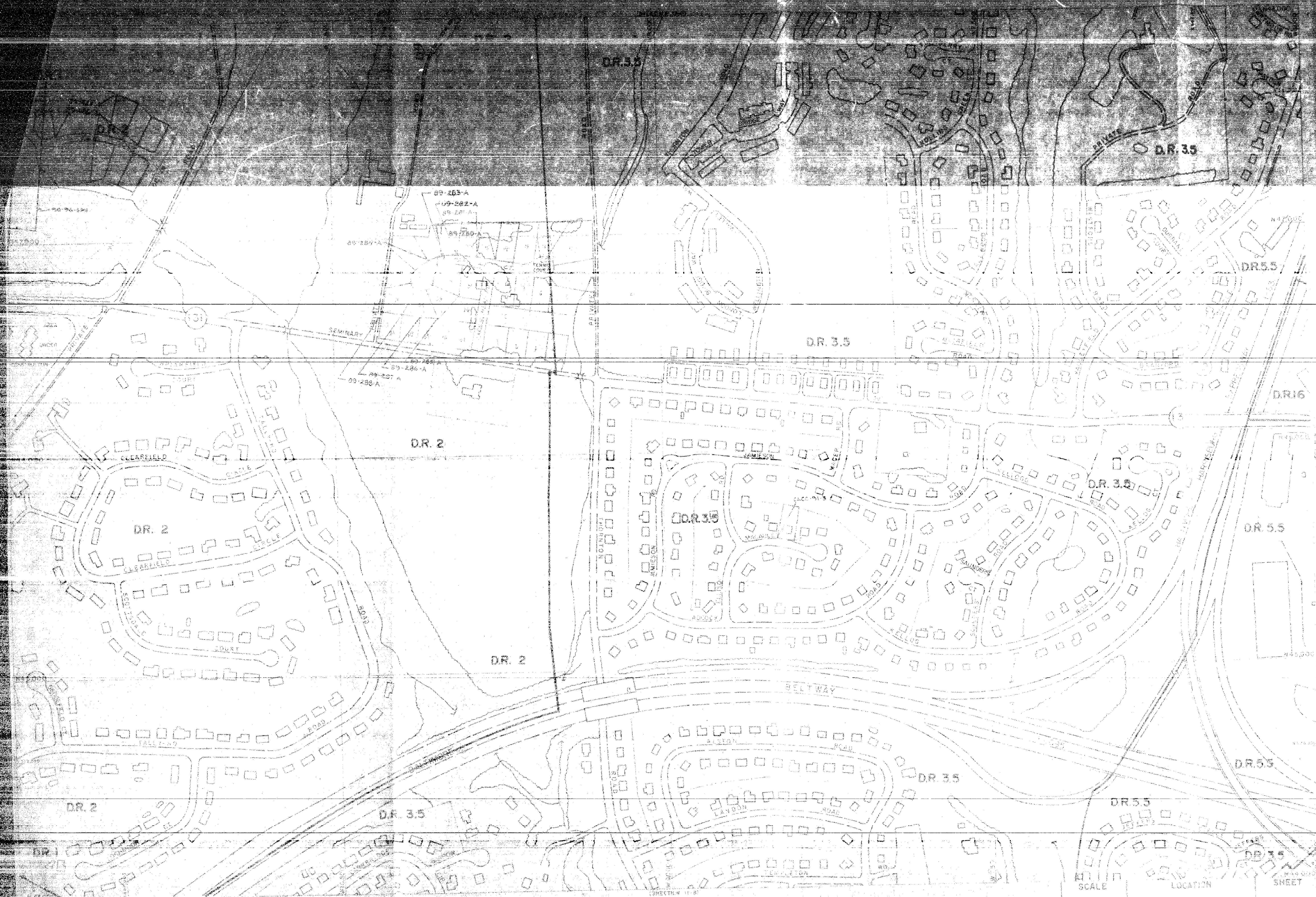
RECEIVED
MAY 26 1992
ZONING OFFICE

MICROFILMED

Department of ~~Development and Planning~~ ~~Development and Planning~~ ~~Development and Planning~~
Development Review Committee Response Form
Authorized signature: *WPK* Date: 6/1/92

| File Number | Project Name | Waiver Number | Zoning Issue | Meeting Date |
|---------------------|------------------------------------|---------------|--------------|--------------|
| / | Phillip And Carol Faulkenklaus | 461 | | 5-18-92 |
| DED DEPRM RP STP TE | | | | |
| / | August J. And Elsie W. Seifert | 464 | | |
| DED DEPRM RP STP TE | | | | |
| / | Francis D. And Suzanne L. Boyle | | | |
| DED DEPRM RP STP TE | | | | |
| / | Robert N. And Joan M. Greene | 466 | | |
| DED DEPRM RP STP TE | | | | |
| / | Joseph P. And Gloria G. Connore | 467 | | |
| DED DEPRM RP STP TE | | | | |
| / | Kilmarnock Associates | 468 | | |
| DED DEPRM RP STP TE | | | | |
| / | Automaster, Inc. | 469 | | |
| DED DEPRM RP STP TE | | | | |
| / | Douglas And Mary Holschneider | 470 | | |
| DED DEPRM RP STP TE | | | | |
| / | Reisterstown Bible Church | 471 | | |
| DED DEPRM RP STP TE | | | | |
| / | Pikesville Partnership | 472 | | |
| DED DEPRM RP STP TE | | | | |
| / | Baltimore Gas And Electric Company | 475 | | |
| DED DEPRM RP STP TE | | | | |
| / | Charles R. Carroll | 476 | | |
| DED DEPRM RP STP TE | | | | |

MICROFILMED



1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

| | | |
|---------------------|-------------|-----------|
| SCALE | LOCATION | SHEET |
| 1" = 200' | LUTHERVILLE | N.W. 12-B |
| DATE OF PHOTOGRAPHY | | |
| JANUARY 1986 | | |

THIS MAP WAS PREPARED BY THE OFFICE OF PLANNING AND ZONING, BALTIMORE COUNTY, MARYLAND. IT IS A REPRODUCTION OF A PHOTOGRAPHIC METHOD.